

SAO
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA, SOUTHERN DIVISION

* * * *

DOMINIQUE TURIANO, an individual,
Plaintiff,

CASE NO: 2:20-cv-00641

ALLSTATE NORTHBROOK
INDEMNITY COMPANY; I through X,
inclusive,; and ROE CORPORATIONS I
through X, inclusive,

Defendants.

**STIPULATION AND ORDER TO DISMISS PLAINTIFF'S EXTRACONTRACTUAL
CLAIMS WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for Plaintiff, Eric Roy, Esq. and Michael T. Nixon, Esq., of the Eric Roy Law Firm and counsel for Defendant, Bryce Buckwalter, Esq. of Keating Law Group, that only the extracontractual claims in Plaintiff's Complaint be DISMISSED WITHOUT PREJUDICE. The remaining claims, regarding claims for UIM/UM benefits, shall survive this Stipulation and Order. Specifically, Plaintiff's Second Cause of Action shall be dismissed in its entirety, without prejudice. The

1 portions of Plaintiff's First Cause of Action that involve allegations of "Insurance Bad Faith"
2 shall be dismissed, without prejudice. The Plaintiff's Third Cause of Action shall survive, along
3 with any necessary provisions of Plaintiff's Complaint to satisfy the Federal pleading standards.
4 Furthermore, the claim for punitive damages shall also be dismissed, without prejudice.

5 Dated this 18th day of August, 2020.

6 Dated this 18th day of August, 2020.

7 KEATING LAW GROUP

ERIC ROY LAW FIRM

8 //s// Bryce Buckwalter

//s// Eric Roy

Bryce Buckwalter, Esq.
9 Nevada Bar No. 7626
10 9130 W. Russell Road, Ste 200
11 Las Vegas, NV 89148
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Turiano v Allstate Insurance
CV00641

ORDER

Based upon the forgoing stipulation, the Complaint shall be modified as follows:

Plaintiff's Second Cause of Action shall be dismissed in its entirety, without prejudice. The portions of Plaintiff's First Cause of Action that involve allegations of "Insurance Bad Faith" shall be dismissed, without prejudice. The Plaintiff's Third Cause of Action shall survive, along with any necessary provisions of Plaintiff's Complaint to satisfy the Federal pleading standards. Furthermore, the claim for punitive damages shall also be dismissed, without prejudice.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 20th day of August, 2020.

Respectfully Submitted by:
ERIC ROY LAW FIRM

//s// Eric Roy
Eric Roy, Esq.
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Las Vegas, NV 89101

Katrina Thao

From: Jennifer Pascual
Sent: Wednesday, August 19, 2020 12:10 PM
To: Katrina Thao
Cc: TurianoDominiqueZ2202990@projects.filevine.com
Subject: FW: Turiano v Allstate

From: B. Buckwalter <bbuckwalter@keatinglg.com>
Sent: Monday, August 17, 2020 3:58 PM
To: Jennifer Pascual <Jennifer@ericroylawfirm.com>; Michael Nixon <Michael@ericroylawfirm.com>
Cc: TurianoDominiqueZ2202990@projects.filevine.com
Subject: RE: Turiano v Allstate

Looks great. You can use my signature. Thanks!

From: Jennifer Pascual <Jennifer@ericroylawfirm.com>
Sent: Monday, August 17, 2020 3:47 PM
To: B. Buckwalter <bbuckwalter@keatinglg.com>; Michael Nixon <Michael@ericroylawfirm.com>
Cc: TurianoDominiqueZ2202990@projects.filevine.com
Subject: RE: Turiano v Allstate

Bryce,

See attached the proposed SAO to dismiss. Please let me know if you have any changes, if not, please provide authorization for your e-signature. Thank you.



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Subject: RE: Turiano v Allstate